

Planning Commission Date: August 13, 2003

Item No. ***4**

MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearing

Report prepared by: Staci Pereira

Public Hearing: Yes: X No:

Notices Mailed On: 7/11/03

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TITLE: USE PERMIT AMENDMENT NO. P-UA2003-4

Proposal: A request to amend Use Permit No. 1023 to add live entertainment, extend hours of operation on weekends, and permit serving alcoholic beverages at an existing restaurant (Royal City) located at 90-94 S. Abel Street without adding required parking for these new uses at Abel Plaza, zoned MXD-TOD - Mixed Use with Transit Oriented Development overlay.

Location: 90-94 South Abel Street (APN 22-24-045)

RECOMMENDATION: Continue to August 27, 2003

Applicant: Young Thai, Royal City Restaurant, 90 South Abel Street, Milpitas, CA 95035

Property Owner: Albert Witt, Jr., P.O. Box 2362, Menlo Park, CA 94025

Ground Lessor: Robert Yen, 670 Los Pinos Avenue, Milpitas, CA 95035

Previous Action(s): Minor Tentative Map, "S" Zone approval and amendments, use permit approvals and amendments

Environmental Info: Exempt

General Plan Designation: Mixed Used

Present Zoning: Mixed Use with Transit-Oriented-Development Overlay, "MXD-TOD" District

Existing Land Use: Retail shopping center

Agenda Sent To: Applicant, property owner and ground lessor (all noted above)

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Attachments: N/A

PJ No. 2316

BACKGROUND

This item was continued from the Planning Commission meeting on June 23, 2003 because the applicants had not yet decided on specific details regarding their application, specifically if they wanted to include dancing as part of their live entertainment request. The applicant has since chosen to include dancing as part of their request, which requires additional material to be submitted. Another continuance of this request is necessary because the applicants have not yet completed a parking study or submitted a security plan needed to complete the review. This continuance should provide the applicant and staff with sufficient time to complete the study and its review in time for the Planning Commission hearing on August 27, 2003.

RECOMMENDATION

Keep the public hearing open. Continue Use Permit Amendment No. P-UA2003-4 to August 27, 2003.